

Yuriy

Yuriy V. Vasilechuk #42453-510

Name and Prisoner Booking Number

USP Atwater CA.

Place of Confinement

PO Box 019001

Mailing Address

Atwater, CA 95301

City, State, Zip Code

(Failure to notify the Court of your change of address may result in dismissal of this action.)

**FILED**

JUN 30 2025

CLERK U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY sl DEPUTY CLERK

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

Yuriy V. Vasilechuk

(Full Name of Plaintiff)

Plaintiff,

v.

CASE NO. 1:25-cv-00792-SAB

(To be supplied by the Clerk)

(PC)

(1) Warden J. Doer

(Full Name of Defendant)

(2) United States of America (USA)

(3) A.W. Queen

(4) A.W. Sliva

Defendant(s).

☐ Check if there are additional Defendants and attach page 1-A listing them.

**CIVIL RIGHTS COMPLAINT  
BY A PRISONER**

☒ Original Complaint

☐ First Amended Complaint

☐ Second Amended Complaint

**RECEIVED**

JUN 30 2025

**A. JURISDICTION**

1. This Court has jurisdiction over this action pursuant to:

☐ 28 U.S.C. § 1343(a); 42 U.S.C. § 1983

Both ☒ 28 U.S.C. § 1331; Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971).

☒ Other: Tort 28 USC 1346 (b), 28 USC 1402 (b), 28 USC 2679 (b)(2) 31 USC 3723

2. Institution/city where violation occurred: United States Penitentiary USP-Atwater

The Plaintiff brings non FTCA claims against individuals and FTCA claims against the United States in the same Lawsuit. Carlson v. Green 466 U.S. 14 (1980)

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY \_\_\_\_\_ DEPUTY CLERK

Defendants continued;

5.) Captain, Brasfield

6.) HSA, Franks

7.) AHSA, *m. ski*

8.) Mail Room Supervisor, D. Dotray

9.) Unit Manager, *Casfena da*

10.) Case Manager, *Vega*

11.) Counselor, *Stockton*

12.) Trust Fund, Beardsky

13.) Medical, Krodic

14.) Medical, Plesenta

15.) Medical, Cota

16.) Medical, Singh

17.) Medical, *Indian woman*

18.) Medical, *PENA*

19.) Medical,

20.) Medical, putnam

21.) Medical, Tharra

22.) Medical, Debusk

All Defendants work for the  
B.O.P. at USP- Atwater

### B. DEFENDANTS

1. Name of first Defendant: J. Doerer. The first Defendant is employed as:  
Warden at USP-Atwater  
(Position and Title) (Institution)
2. Name of second Defendant: United States of America. The second Defendant is employed as:  
\_\_\_\_\_ at \_\_\_\_\_  
(Position and Title) (Institution)
3. Name of third Defendant: A.W. Queen. The third Defendant is employed as:  
Associate Warden at USP-Atwater  
(Position and Title) (Institution)
4. Name of fourth Defendant: A.W. Silva. The fourth Defendant is employed as:  
Associate Warden at USP-Atwater  
(Position and Title) (Institution)

If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.

### C. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? ☐ Yes ☒ No
2. If yes, how many lawsuits have you filed? \_\_\_\_\_. Describe the previous lawsuits:
  - a. First prior lawsuit:
    1. Parties: \_\_\_\_\_ v. \_\_\_\_\_
    2. Court and case number: \_\_\_\_\_
    3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) \_\_\_\_\_
  - b. Second prior lawsuit:
    1. Parties: \_\_\_\_\_ v. \_\_\_\_\_
    2. Court and case number: \_\_\_\_\_
    3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) \_\_\_\_\_
  - c. Third prior lawsuit:
    1. Parties: \_\_\_\_\_ v. \_\_\_\_\_
    2. Court and case number: \_\_\_\_\_
    3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) \_\_\_\_\_

If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.

**D. CAUSE OF ACTION****CLAIM I**

1. State the constitutional or other federal civil right that was violated: B.O.P. policy - Constitutional Violation of 1<sup>st</sup> Amend - Free Speech, 5<sup>th</sup> Amend - Due Process, 8<sup>th</sup> Amend - Cruel & Unusual Punishment

2. **Claim I.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- |  |   |   |                                       |
|--|---|---|---------------------------------------|
| <input type="checkbox"/> Basic necessities             | <input type="checkbox"/> Mail             | <input type="checkbox"/> Access to the court  | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings      | <input type="checkbox"/> Property         | <input type="checkbox"/> Exercise of religion   | <input type="checkbox"/> Retaliation  |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input checked="" type="checkbox"/> Other: <u>No access to Administrative Remedies or FTCA Forms.</u> |                                       |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim I. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

USP Atwater was locked down from on or about Aug. 9 - Oct 9, 2024. The plaintiff was confined to his cells 24 hours a day. During this time, the Unit Team, consisting of plaintiffs Unit Mar. Castaneda, Case Mar. Vega and Counselor Stockton were responsible to make Administrative Remedy Forms (To Include Federal Tort Claim Act Forms) available to the plaintiff. The plaintiff had no way to approach the Unit Team members to Request Administrative Remedy Forms. The plaintiff did send a copy via institutional mail to Stockton, Vega - warden requesting informal resolution of issues and Administrative Remedy Forms. Unit Mar. Castaneda, Case Mar. Vega and Counselor Stockton did not provide any access to Administrative Remedy Forms during this time period. This issue was compounded by the Plaintiff being cut off from the world during the same time (SEE 'Claims II').

This was a deliberate, planned action and a knowing violation of B.O.P. Policy. A.W. Silva, Captain Brasfield, Trust Fund Beardsly and mail Room Supervisor D. Datray, HSA Franks. This violation was "punitive in nature", "Arbitrary" and "AND" served no legitimate penological.

No Attached extra page Claim I

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

Physical pain, mental anguish, emotional distress, financial loss

5. **Administrative Remedies:**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? See supporting Facts above ☐ Yes ☒ No
- Did you submit a request for administrative relief on Claim I? ☐ Yes ☐ No
- Did you appeal your request for relief on Claim I to the highest level? ☐ Yes ☐ No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. I was Denied Access to Administrative Remedies and cut off from the world for over 60 Days.

**CLAIM II**

1. State the constitutional or other federal civil right that was violated: B.O.P. Policy - Constitutional Violations of 1<sup>st</sup> Amend free speech - access courts - 5<sup>th</sup> Amend / Due Process and 8<sup>th</sup> Amend.

2. **Claim II.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- ☐ Basic necessities      ☐ Mail      ☐ Access to the court      ☐ Medical care  
☐ Disciplinary proceedings      ☐ Property      ☐ Exercise of religion      ☐ Retaliation  
☐ Excessive force by an officer      ☐ Threat to safety      ☒ Other: Cut off all communication with the world.

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim II. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

USP Atwater was locked down from on or about Aug. 9 - Oct 9, 2024. During which time Warden J. Doerer, USA, A.W. Queen, A.W. Silva, Capt. Brasfield, Mail Room Supervisor D. Datray, Trust Fund Beardslv and Unit Mar. Castaneda cut the plaintiff off from the world. During this time the plaintiff had no access to news-current events, no ability to communicate with his family or loved ones, no ability to communicate with his Attorney or access the courts. All out going mail was held until approximately Sept. 9 before it was sent out. From on or about Aug. 9 - Oct 9 2024, J. Doerer, USA, A.W. Queen, A.W. Silva, Capt. Brasfield, Trust Fund Beardslv, Mail Room Supervisor D. Datray and Unit Mar. Castaneda did knowingly and intentionally suspend all (1) incoming mail/ (2) visits (3) phone access (4) email access (5) revalidating and recharging electronic devices (6) access to commissary to buy a radio and batteries (for current events) (7) television access, or conspired to do the same. The totality of these actions coupled with the issue in Claim I violate the most basic prisoner rights B.O.P. Policy and the U.S. Constitution. The plaintiff was locked in a cell and was deliberately cut off from the world as part of a mass "punitive measures" that was "and malicious" and "served no legitimate penological interests". Mail Room Supervisor D. Datray was responsible for rejecting or discarding U.S. mail addressed to the plaintiff without reason or rejection forms.

\*No Extra Page Claim II

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

Physical pain, mental anguish, emotional distress + financial loss.

5. **Administrative Remedies.**

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? See Claim I ☐ Yes ☒ No
- b. Did you submit a request for administrative relief on Claim II? ☐ Yes ☐ No
- c. Did you appeal your request for relief on Claim II to the highest level? ☐ Yes ☐ No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. \_\_\_\_\_



## CLAIM III

1. State the constitutional or other federal civil right that was violated: B.O.P. Policy - Constitutional Violations of 5<sup>th</sup> Amend. Due Process, 8<sup>th</sup> Amend. Cruel & Unusual Punishment

2. **Claim III.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- |  |   |   |  |
|--|---|---|--|
| <input type="checkbox"/> Basic necessities             | <input type="checkbox"/> Mail             | <input type="checkbox"/> Access to the court  | <input checked="" type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings      | <input type="checkbox"/> Property         | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation             |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input type="checkbox"/> Other: _____         |  |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim III. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

USP Atwater was locked down from on or about Aug 9 - Oct. 9 2024. During this period (1) There was No Doctor employed by the B.O.P., onsite at USP-Atwater. (2) Sick call procedures were suspended. (3) Administrative Remedies were withheld (Claim I) (4) The plaintiff was cut off from the world (Claim II) (5) The plaintiff had no access to medical Treatment or to have medication prescribed. While the medical staff defendants delivered already prescribed medications the plaintiff had random interactions (See additional page claim III). Where he advised medical staff of his serious medical needs verbally and in writing. The plaintiff was advised (1) This is not sick call (2) they could not provide treatment or prescribe medication (3) All they could do was schedule an appointment for a Doctor (they admitted does not exist). Defendants Warden 'J. Doerer, U.S.A., Aw Queen, Aw Sliva, Capt. Brasfield, TrustFund Bencish, Unit Mgr. Castaneda, HSA Franks, AHSA 14 Sko, Medical Staff Kradic, Plesenta, Cota, all Defendants violated B.O.P. Policy, the U.S. Constitution and the plaintiff's Human Rights by showing a "deliberate indifference to the plaintiff's serious medical needs." The same Defendants did NOT provide the Plaintiff with the Bi-weekly opportunity to purchase a full selection of OTC medications during the same period (See claim IV). These Actions are "Arbitrary" and "serve No Legitimate penological interest."

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s). Physical pain, mental anguish, emotional distress, a financial loss See Attache Extra Page Claim III

5. **Administrative Remedies.**

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? See Claim I ☐ Yes ☒ No
- b. Did you submit a request for administrative relief on Claim III? ☐ Yes ☐ No
- c. Did you appeal your request for relief on Claim III to the highest level? ☐ Yes ☐ No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. \_\_\_\_\_

If you assert more than three Claims, answer the questions listed above for each additional Claim on a separate page.

Extra Page Claim III

Jett v. Penner 439 F3d 1091, 1096 (9<sup>th</sup> 2006)

"Plaintiff must show a serious medical need by demonstrating the failure to Treat the condition could result in further significant injury or unnecessary and wanton infliction of pain."

I AM APPROVED FOR THE MAT program by psychology.  
Due to my DRUG ADDICTION. During the lockdown Aug 9 -  
Sep 9 2024 I WAS DENIED ACCESS TO HEALTH CARE AND  
WENT THROUGH SERIOUS WITHDRAWAL. CRIPPLING DEPRESSION  
& ANXIETY - inability to concentrate or sleep more  
than 20 minutes at a time. There was no doctor  
TO SEE ME while I had complete feelings of hopelessness.  
These issues linger till today.

**CLAIM IV**

1. State the constitutional or other federal civil right that was violated: B.O.P. Policy - Constitutional Violation of 1<sup>st</sup> Amend Access the Courts, 4<sup>th</sup> Amend illegal seizure, 5<sup>th</sup> Amend Due Process, 8<sup>th</sup> Amend Cruel + Unusual Punishment.

2. **Claim III.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- |  |  |   |                                       |
|--|--|---|---------------------------------------|
| <input type="checkbox"/> Basic necessities             | <input type="checkbox"/> Mail                | <input type="checkbox"/> Access to the court  | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings      | <input checked="" type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation  |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety    | <input type="checkbox"/> Other: _____         |                                       |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim IV Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

USP Atwater was locked down from on or about Aug 9 - Oct 9 2024. During this period Warden J. Doerer, USA, AW Queen, AW Sliva, Capt. Brasfield, Trust Fund Beardslv, HSA Franks, Unit Mgr. Cisterna, Case Mgr. Vega, Counselor Stockton and unknown yet to be named defendants did institute, approve and participate in illegal seizure of plaintiffs personal property. The defendants forced the plaintiff to pack his personal property into a "Green Bag" where after these defendants conducted a "Green Bag - massive/shake Down". These Defendants Did Not inventory the plaintiffs personal property, they discarded or/and confiscated all personal property that did not fit into the Green Bag, without providing the required confiscation/Forms to the plaintiff. During this process these defendants confiscated the plaintiffs Legal material including Trial Transcripts, Case Files, Notes, Exhibits, Discovery and Legal Books. These actions are in violation of the B.O.P. Policy, The U.S. Constitution. These Actions were "Arbitrary + Capricious", "punitive" and "served No Legitimate penological interests".

See Attached Page Claim IV

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

Physical Pain + Suffering, mental Anguish, Emotional Distress, Financial Loss

5. **Administrative Remedies.**

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? See Claim I ☐ Yes ☒ No
- b. Did you submit a request for administrative relief on Claim IV ☐ Yes ☐ No
- c. Did you appeal your request for relief on Claim III to the highest level? ☐ Yes ☐ No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. \_\_\_\_\_

If you assert more than three Claims, answer the questions listed above for each additional Claim on a separate page.



**CLAIM V**

1. State the constitutional or other federal civil right that was violated: BOP Policy - Constitution  
Violation of 8th Amendment. Cruel & unusual punishment

2. **Claim III.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- ☒ Basic necessities      ☐ Mail      ☐ Access to the court      ☐ Medical care  
☐ Disciplinary proceedings      ☐ Property      ☐ Exercise of religion      ☐ Retaliation  
☐ Excessive force by an officer      ☐ Threat to safety      ☒ Other: SAWATION

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim V. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

USP Atwater WAS LOCKED DOWN FROM APRIL ABOUT AUG 9 - OCT 9  
2024. DURING THAT TIME CASE manager VEGA counselor Stackton  
unit manager CASTANEDA did NOT provide cleaning supplies or disinfectant to clean the  
FLOORS TOILET - around the TOILET, SINK ETC. This is a violation of the Constitution  
8th Amendment Cruel & unusual punishment any cleaning material in possession  
by the plaintiff was CONFISCATED during the Green Bay shake down claim IV -  
NO complaints were processed SEE claim I

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

physical pain, mental anguish, emotional distress, financial loss

5. **Administrative Remedies.**

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? SEE claim I ☐ Yes ☒ No
- b. Did you submit a request for administrative relief on Claim V? ☐ Yes ☐ No
- c. Did you appeal your request for relief on Claim III to the highest level? ☐ Yes ☐ No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. \_\_\_\_\_

If you assert more than three Claims, answer the questions listed above for each additional Claim on a separate page.

### Unique Circumstances

The claims presented here demonstrate an extraordinary violation of B.O.P. Policy, The U.S. Constitution and Prisoner Rights. The defendant by design and intentionally did Not provide Administrative Remedies to the plaintiff, they restricted all communications with the outside world and they did not provide the plaintiff access to a Doctor for approximately 2 months while they discarded and/or confiscated the plaintiffs personal property and Legal Document without Documentation. The circumstances of these claims compound upon each other making the totality of the claims especially egregious.

### Exhaustion

The plaintiffs was denied access to Administrative Remedies and Tort Claim Forms. He was denied access to communicate with any other government agency, private Lawyer, politicians or media sources. The complete and utter denial of access any form of recourse for 2 months makes this complaint ripe for Court intervention. There is no other government Agency that can adequately address the deliberate harm done to the plaintiff in these unique circumstances. This Court is uniquely situated to most effectively address the violation of B.O.P. Policy & The Constitutional, hold the Defendants responsible for their actions, provide injunctive relief, order lasting changes to correct the violations and then to decide if awarding damages will help prevent future violations of the Law.

### Miscarriage of Justice

These claims presented here are not unique to the plaintiff and have will continue to effect over 1,000 men, many of which lack the mental ability to raise their claims. Here in lies an egregious misconduct and a clear violation of the Constitution of the severity that raises to a miscarriage of justice, which requires this Courts intervention.

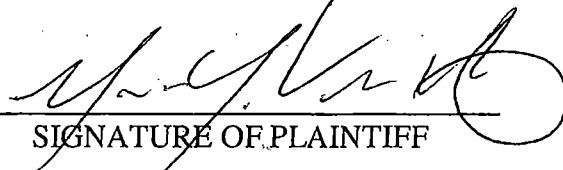
### E. REQUEST FOR RELIEF

State the relief you are seeking:

Actual or Compensatory damages to be determined by the Court  
Punitive damages to be determined by the Court  
Injunctive relief as set out in separate motion  
Admission, Declaration & Commitment of (1) wrong doing (2) How it will be resolved (3) Commitment to resolve the issues.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 12-30-24  
DATE

  
SIGNATURE OF PLAINTIFF

\_\_\_\_\_  
(Name and title of paralegal, legal assistant, or other person who helped prepare this complaint)

\_\_\_\_\_  
(Signature of attorney, if any)

\_\_\_\_\_  
(Attorney's address & telephone number)

### ADDITIONAL PAGES

All questions must be answered concisely in the proper space on the form. If you need more space you may attach more pages, but you are strongly encouraged to limit your complaint to twenty-five pages. If you attach additional pages, be sure to identify which section of the complaint is being continued and number all pages. Remember, there is no need to attach exhibits to your complaint.